IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17592 of 2004

Between:

Bilquis Bano, W/o Late Mir Kamal Ali,
R/o 22-7-526/5/1, Kamal Yar Jung Lane, Mandi Mir Alam, Hyderabad

..... PETITIONER

AND

1. The Central Power Distribution Company Limited represented by its

Director, Office at Vidyut Soudha, Somajiguda, Hyderabad
2 The Assistant Engineer, Electrical Distribution,
IX City- III, Mogalpura, (86) Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No.1 & 2 in not providing electricity connection to House No.22-7-526/5/1, situated at Kamal Yar Jung Lane, Mandi Mir Alam, Hyderabad as highly illegal and arbitrary and contrary to section 43 of the Electricity Act, 2003. Any other relief deemed fit and proper.

Counsel for the Petitioner:MR.ABDUL NAJEEB KHAN

Counsel for the Respondents: MRS.M.VINOBHA DEVI (SC FOR APTRANSCO)

The Court made the following :

O R D E R:

The petitioner states that she is in occupation of the premises bearing No. 22-7-526/5/1, admeasuring 52 Square yards forming part of house No.22-7-526/5, situated at Kamal Yar Jung Lane, Mandi Mir Alam, Hyderabad. It is stated that there was a common electricity meter to both the houses and the electricity bill was being shared by the petitioner and one Syed Ali Mohammed Hussain, who is in occupation of the other premises. However, it appears that subsequently, due to certain disputes that arose between them, the electricity supply to the premises in which the petitioner is residing has been disconnected. Thereafter, the petitioner approached the 2nd respondent-Assistant Engineer on 13-09-2004, 20-09-2004 and 23-09-2004, requesting to provide a separate electricity connection to house No.22-7-526/5/1. The grievance of the petitioner is the 2nd respondent, refused to entertain her application. Hence this writ petition.

Heard the learned counsel for the petitioner and
Smt. M.Vinobha Devi, learned standing counsel appearing for the respondents.

Having regard to the facts and circumstances of the case, I am of the view that the respondents are not justified in not even entertaining the application of the petitioner for a separate electricity connection. If the petitioner is not entitled for a separate service connection, for any reason whatsoever, it is always open to the respondents to communicate the same to the petitioner but they cannot refuse to

entertain the application.

In the circumstances, I deem it appropriate to dispose of the writ petition with a direction to the respondents-company to entertain the application of the petitioner requesting for a separate electricity connection to House Bearing No.22-7-526/5/1 and pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of two weeks from the date of receipt of a copy of this order. No costs.

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30-09-2004

Note:

CC By two days

B/o Mjl/*

To

1. The Director, Central Power Distribution Company Limited Office at Vidyut Soudha, Somajiguda, Hyderabad

2. The Assistant Engineer, Electrical Distribution,
   IX City- III, Mogalpura, (86) Hyderabad

3. 2. 2 CD copies.